

NAYS—14.

Armistead,	Ingram,
Atlee,	Lane,
Burges,	Maetze,
Cranford,	Pope,
Field,	Townsend,
Frank,	Tyler,
Harrison,	Upshaw.

ABSENT—1.

Burney.

Senator Davis announced a pair with Senator Abercrombie. The former would vote aye, the latter nay if present.

Senator Kimbrough announced a pair with Senator Johnson, the former would vote aye, the latter nay, if he were present.

Senator Glasscock moved to adjourn till ten o'clock to-morrow morning, and that he be allowed the floor on the pending business in the afternoon.

Adopted by the following vote:

YEAS—14.

Allen,	Kimbrough,
Burney,	Maetze,
Claiborne,	Simkins,
Cranford,	Sims,
Davis,	Stephens,
Finley,	Upshaw,
Glasscock,	Woodward.

NAYS—13.

Armistead,	Ingram,
Atlee,	Lane,
Burges,	McDonald,
Field,	Pope,
Frank,	Townsend,
Harrison,	Tyler.

ABSENT—1.

Johnson.

SIXTY-FIFTH DAY.

SENATE CHAMBER.

AUSTIN, March 29, 1889.

Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr Smoot.

On motion of Senator Upshaw,

The reading of the Journal of yesterday was dispensed with.

On motion of Senator Frank,

W. E. Donley, the Assistant Secretary, was excused for to-day, on account of sickness in his family.

REPORTS OF STANDING COMMITTEES.

By Senator Cranford:

COMMITTEE ROOM,

AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 38, being "An act to amend articles 4756 and 4758, title 95, chapter 4, of the Revised Civil Statutes of the State of Texas, and to add thereto article 4756a, so as to provide a lien in favor of purchasers at tax sales when such are invalid by reason of informalities in assessment rolls."

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,

AUSTIN, March 28, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 392, being "An act to provide for the repeal of the charter of East Dallas and the annexation of the territory thereof to the city of Dallas,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,

AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed bills have carefully examined and compared

Senate bill No. 362, being "An act to amend article 1066 of the Code of Criminal Procedure of the State of Texas,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,

AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 40, being "An act to amend section 1 of an act approved April 18, 1879, to amend section 1 of an act to amend sections 6 and 9 of an act to define a lawful fence, and to carry into effect sections 22 and 23, article 16, of the Constitution of the State of Texas, authorizing the pas-

sage of stock and fence laws, approved August 15, 1876, passed at the present session of the Legislature."

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 130, being "An act to be entitled an act to authorize minors to bring suits by next friend, and to provide for the disposition of funds that may be recovered in such suits, and to define the duties of the next friend,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 28, 1889.

Hon. T. B. Wheeler, President of the Senate

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 374, being "An act entitled an act to amend article 1054, chapter 2, title 15 of the Code of Criminal Procedure, as amended by an act of the Twentieth Legislature, approved April 7, 1887,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 345, being "An act to amend article 4741, chapter 4, title 5 of the Revised Civil Statutes of Texas,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 285, being "An act to amend title 84, chapter 10 of the Revised Civil Statutes, by adding thereto article 4223a,"

And find the same correctly engrossed

CRANFORD,
Chairman.

By Senator Burney:

COMMITTEE ROOM,
AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Education, to whom was referred

House bill No. 233, entitled "An act to amend section 11 of an act to establish the University of Texas, approved March 30, 1881, and to provide for matriculation fees,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

BURNEY,
Chairman.

Bill read first time.

By Senator Tyler:

COMMITTEE ROOM,
AUSTIN, March 29, 1889.

To Hon. T. B. Wheeler, President of the Senate, and Hon. F. P. Alexander, Speaker of the House:

Your free conference committee, to whom was referred

Senate bill No. 51, a bill to be entitled "An act to provide for the more efficient government and maintenance of the house of correction and reformatory at Gatesville,"

With the House amendments thereto,

Have had the same under consideration, and recommend that the Senate do concur in the House amendments to sections 13, 16, 9 and 12, and that the House recede from its amendment to section 5, and that the House amendment to section 2 be amended by adding thereto the word "each."

We recommend the adoption of the above report.

Respectfully submitted,

TYLER,
INGRAM,
JOHNSON,

For the Senate.

MCGEEHEE of Hays,
MCKINNEY,
HOOD,

For the House.

On motion of Senator Tyler,

The free conference committee report was adopted.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, TEXAS, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—I am directed to inform the Senate that the House has passed

House bill No. 453, "An act to create and establish boards of health in the unincorporated town and villages of Texas."

W. M. IMBODEN,
Chief Clerk House of Representatives.

After having publicly read their captions, the President gave notice of signing, and did sign in open session of the Senate, Senate bill No. 244,

An act to amend article 4466, Revised Civil Statutes of the State of Texas.

Senate bill No. 158,

An act to amend title 50, article 2838 of the Revised Statutes so as hereafter to read as follows:

Senate bill No. 53,

An act to amend an act entitled an act to provide for the venue of suits for damages growing out of attachment and sequestration suits, approved March 25, 1887.

And

House bill No. 601, "An act for the relief of William A. A. Wallace, and to grant him a certificate for twelve hundred and eighty acres of land."

On motion of Senator Burges,

Senate bill No. 275, a bill to be entitled "An act to amend article 4667, title 95, chapter 1, of the Revised Civil Statutes of Texas," was made the special order for Monday immediately after the morning call.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—I am directed to inform the Senate that the Speaker has appointed Messrs. Mills, Humphrey and Breeding on the conference committee on the differences between the two houses on

House bill No. 84, "The Occupation Tax bill," on the part of the House.

The House has adopted the following Senate concurrent resolution:

Resolved, By the Senate, the House of Representatives concurring, that a committee of three members from the Senate and like number from the House be appointed to consider the propriety of an appropriation to erect a monument at or near the site of the Alamo building in San Antonio, Texas, to commemorate the deeds of the patriots who fell in its defense, and the President of the Senate has appointed Senators Pope, McDonald and Burney as such committee on the part of the Senate.

And

Messrs. Pope, Robinson of Bexar and Pickett have been appointed on the committee on the part of the House.

The House has passed Senate bill No. 140, a bill to be entitled "An act to amend article 375, title 17, of the Revised Civil Statutes of the State of Texas, as amended by act approved March 27, 1889, with an amendment.

The House has passed

House bill No. 273, being "An act entitled an act to secure from all banks doing business in this State a sworn statement of money on deposit with them, to the end that such money may be correctly and properly assessed for taxes, and to prescribe a penalty for violation of the same,"

And

Substitute House bill No. 475, being "An act entitled an act to amend articles 384 and 385 of the Penal Code,"

And

House bill No. 336, entitled "An act to amend chapter 15 of title 17 of the Penal Code of the State of Texas."

And

House bill No. 618, being "An act authorizing the recording of transcript from the records of justices' courts as deeds are now recorded when said transcripts are evidence of title to land."

W. M. IMBODEN,
Chief Clerk House of Representatives.

HOUSE OF REPRESENTATIVES,

AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—The House has passed

Substitute House bill No. 632, a bill to be entitled "An act to amend an act entitled an act to amend section 24 of an act to redistrict the State into judicial districts, and to fix the time for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, etc., etc.," under suspension of the constitutional rule and by two-thirds vote—yeas, 75; nays, none.

W. M. IMBODEN,
Chief Clerk House of Representatives.

Senator Atlee called up, out of its regular order,

Senate bill No. 395, a bill to be entitled "An act to amend chapter 61 of an act to amend section 38 of an act entitled an act to redistrict the State into judicial districts and fix the times for holding courts therein, and to provide for the election of judges and district attorneys in said district at the next general election, to be held on the first Tuesday after the first Mon-

day in November, 1884, approved April, 1883, approved March 25, 1887,"

The bill was laid before the Senate and read the second time.

Senator Atlee moved to

Amend by adding to clause relating to time of holding court in Uvalde county the following: "And the present term of court in Uvalde county may be continued as if commenced under this act."

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Atlee,

The constitutional rule was suspended to place the bill on its third reading and final passage by the following vote:

YEAS—25.

Abercrombie,	Harrison,
Allen,	Ingram,
Armistead,	Johnson,
Atlee,	Kimbrough,
Burges,	Lane,
Burney,	Maetze,
Claiborne,	McDonald,
Cranford,	Simkins,
Davis,	Sims,
Field,	Stephens,
Finley,	Upshaw,
Frank,	Woodward.
Glasscock,	

NAYS—None.

ABSENT—4.

Pope,	Townsend,
Seale,	Tyler,

The bill was read the third time and Passed by the following vote:

YEAS—25.

Abercrombie,	Harrison,
Allen,	Ingram,
Armistead,	Johnson,
Atlee,	Kimbrough,
Burges,	Lane,
Burney,	Maetze,
Claiborne,	McDonald,
Cranford,	Simkins,
Davis,	Sims,
Field,	Stephens,
Finley,	Upshaw,
Frank,	Woodward.
Glasscock,	

NAYS—None.

ABSENT—4.

Pope,	Townsend,
Seale,	Tyler,

Senator Burney called up, out of its regular order,

House Bill No. 522 1-2, a bill to be

entitled "An act to amend an act creating the Thirty-fourth judicial district, and fixing the terms of courts therein and all acts amendatory thereof."

The bill was laid before the Senate, read the second time and passed to the third reading.

On motion of Senator Burney the constitutional rule was suspended to put the bill on its third reading and final passage,

By the following vote:

YEAS—25.

Allen,	Ingram,
Armistead,	Johnson,
Atlee,	Kimbrough,
Burges,	Lane,
Burney,	Maetze,
Claiborne,	McDonald,
Cranford,	Simkins,
Davis,	Sims,
Field,	Stephens,
Finley,	Tyler,
Frank,	Upshaw,
Glasscock,	Woodward.
Harrison,	

NAYS—None.

ABSENT—3.

Pope,	Townsend.
Seale,	

The bill was read the third time, and

Passed by the following vote:

YEAS—25.

Allen,	Ingram,
Armistead,	Johnson,
Atlee,	Kimbrough,
Burges,	Lane,
Burney,	Maetze,
Claiborne,	McDonald,
Cranford,	Simkins,
Davis,	Sims,
Field,	Stephens,
Finley,	Tyler,
Frank,	Upshaw,
Glasscock,	Woodward.
Harrison,	

NAYS—None.

ABSENT—2.

Pope,	Townsend.
Seale,	

After having publicly read its caption, the President gave notice of signing, and did sign in open session of the Senate,

Senate concurrent resolution No. 8, requesting Senators and Representatives from Texas in Congress to secure the passage of a joint resolution appointing a board of three engineer officers of the United States army, to make an examination of the Northwest coast of the Gulf of Mexico for the purpose of selecting the most suitable location for a deep-water harbor, and to procure a permanent appropriation therefor."

On motion of Senator Woodward, Senator Abercrombie was excused until to-morrow, on account of sickness.

Senator Claiborne called up out of its regular order

House bill No. 607, a bill to be entitled "An act to amend the charter of the city of Galveston by amending sections 46, 55, 95, 142 and 143 thereof, and by adding thereto sections 17a, 75a, 75b, 75c, and 101a."

The bill was laid before the Senate and read the second time.

Senator Claiborne moved to

Amend by adding to the caption of the bill the figure "3" before the figures "46."

Adopted.

Senator Claiborne offered the following amendment:

Section 3. The municipal government of said city shall consist of a city council, composed of a mayor and one alderman from each ward. A majority of the aldermen elected shall constitute a quorum for the transaction of business, except at a called meeting or meetings for the imposition of taxes, when three-fourths of the aldermen elected shall be required, unless otherwise specified. The officers of the corporation shall be a treasurer and assessor, a collector, a clerk, a chief of the police, an engineer (who shall also be superintendent of streets), an attorney, an auditor, a health physician, a harbor master and such other officers and agents as the council may direct, all of whom, except the city clerk, shall be nominated by the mayor on the second Monday after each biennial election, or as soon thereafter as possible, and each of whom shall be confirmed by a majority of the city council. The city clerk shall be appointed by the mayor on the day above mentioned, without requiring the confirmation of the city council. In the event that any nominee of the mayor is not confirmed by the city council, the mayor shall, at an adjourned meeting, nominate some other person for the office not filled at the

regular day, and continue to make a nomination or nominations until some person shall be confirmed by the city council. No person shall be nominated a third time for the same office except by consent of the city council, and the city council can only adjourn from day to day until all of the city officers shall have been nominated and confirmed. Should the mayor fail or refuse to make the nomination or nominations, or, after having named four persons for any office, all of whom have been rejected by the city council, then, in such event, the city council shall have the right to elect, by a vote of nine, some person for the office yet unfilled. All of said officers so nominated by the mayor and confirmed by the city council, or elected by the city council, and the city clerk appointed by the mayor, shall hold their offices until the second Monday after the next succeeding biennial election, and until the appointment and qualification of their successors, unless removed by the mayor or city council under authority vested in it by this charter. The duties of the harbor master shall be such as have been, or may be, prescribed by the city council, and he shall receive for his services such compensation as the city council may determine, not to exceed fifteen hundred dollars per annum, and shall give bond for the faithful performance of his duties in the sum of five thousand dollars."

The amendment was adopted.

The bill was passed to its third reading.

On motion of Senator Claiborne,

The constitutional rule was suspended to put the bill on its third reading and final passage by the following vote:

YEAS—26.

Allen,
Atlee,
Burges,
Burney,
Claiborne,
Cranford,
Davis,
Field,
Finley,
Frank,
Glasscock,
Harrison,
Ingram,

Johnson,
Kimbrough,
Lane,
Maetze,
McDonald,
Simkins,
Sims,
Stephens,
Townsend,
Tyler,
Upshaw,
Woodward.

NAYS—None.

ABSENT—3.

Armistead,
Pope.

Seale,

The bill was read the third time and passed by the following vote:

YEAS—25.

Allen,	Ingram,
Armistead,	Johnson,
Atlee,	Kimbrough,
Burges,	Lane,
Burney,	Maetze,
Claiborne,	McDonald,
Cranford,	Sims,
Davis,	Stephens,
Field,	Townsend,
Finley,	Tyler,
Frank,	Upshaw,
Glasscock,	Woodward.
Harrison,	

NAYS—None.

ABSENT—2.

Pope,	Simkins.
Seale,	

On motion of Senator Ingram, Senator Seale was excused for to-day on account of sickness.

The President referred

Substitute House bill No. 632, to Committee on Judicial Districts.

House bills Nos. 273, 618, and substitute House bill No. 475 to Judiciary Committee No. 1.

Bill No. 336, to Judiciary Committee No. 2.

And

House bill No. 453, to Committee on Public Health.

Senator Cranford called up out of its regular order

Senate bill No. 321, a bill to be entitled "An act to amend an act entitled an act to require railroad companies to place and keep that portion of their road bed and right of way over or across which public county roads may run, in proper condition for the use of the traveling public, approved March 25, 1885."

The bill was laid before the Senate, read the second time and ordered engrossed.

On motion of Senator Cranford,

The constitutional rule was suspended to put the bill on its third reading and final passage by the following vote:

YEAS—25.

Allen,	Cranford,
Armistead,	Davis,
Atlee,	Field,
Burges,	Finley,
Burney,	Frank,
Claiborne,	Glasscock,

Harrison,	Sims,
Ingram,	Stephens,
Johnson,	Tyler,
Kimbrough,	Townsend,
Lane,	Upshaw,
Maetze,	Woodward.
McDonald,	

NAYS—None.

ABSENT—2.

Pope,	Simkins.
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The bill was read the third time and passed.

By leave,
Senator Sims sent up the following committee report:

COMMITTEE ROOM,
AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

Substitute House bill No. 632, entitled "An act to amend an act entitled an act to amend section 24 of an act to re-district the State into judicial districts and to fix the times of holding courts therein, and to provide for the election of judges and district attorneys in said district at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883, approved February 4, 1885,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

SIMS,
Chairman.

Bill read first time.

(Senator Woodward in the chair.)

Senator Ffield called up out of its regular order,

House bill No. 520, a bill to be entitled "An act to amend an act to give the assent of the State of Texas for the purpose of a grant of money authorized and appropriated by an act of the Congress of the United States, approved March 2, 1887, and entitled an act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, A. D., 1862, and of the acts supplement thereto."

The bill was laid before the Senate, read the second time and passed to its third reading.

(The President in the chair.)

Senate bill No. 140, "An act to amend article 375, title 17 of the Revised Civil Statutes of the State of Texas, as amended by an act approved March 27, 1885."

Was laid before the Senate, with one House amendment.

On motion of Senator Upshaw,

The Senate concurred in the House amendment.

Senator Finley called up, out of its regular order,

Substitute House bill No. 348, a bill to be entitled "An act to amend section 1 of an act to provide for the sale of such appropriated public lands situated in organized counties of the State of Texas as contain not more than six hundred and forty acres, approved March 29, 1887."

The bill was laid before the Senate and read the second time.

Senator Finley moved to

Amend by inserting in line 3, section 1 of the bill after the word "lands" the following: "Including those situated upon islands."

Senator Finley offered the following amendment:

Section 10. The near approach of the close of the session, and the great necessity for the people of this State for the passage of this bill, creates an imperative public necessity and emergency for the suspension of the constitutional rule requiring bills to be read on three several days, and it is so suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Senator Field,

The further consideration of the bill and amendments was postponed until to-morrow.

Senator Frank called up, out of its regular order,

Senate bill No. 360, a bill to be entitled "An act to amend article 2257 of the Revised Civil Statutes of Texas, and to add thereto article 2257a."

The bill was laid before the Senate, read the second time and ordered engrossed.

On motion of Senator Frank,

The constitutional rule was suspended to put the bill on its third reading and final passage by the following vote:

YEAS—25.

Allen,	Cranford,
Armistead,	Davis,
Atlee,	Field,
Burges,	Finley,
Burney,	Frank,
Claiborne,	Glasscock,

Harrison,
Ingram,
Johnson,
Kimbrough,
Lane,
Maetze,
McDonald,

Simkins,
Sims,
Stephens,
Tyler,
Upshaw,
Woodward.

NAYS—None.

ABSENT—2.

Pope,

Townsend.

The bill was read the third time and

Passed by the following vote:

YEAS—23.

Allen,
Armistead,
Atlee,
Burgess,
Burney,
Claiborne,
Davis,
Field,
Finley,
Frank,
Glasscock,
Harrison,

Ingram,
Johnson,
Kimbrough,
Lane,
Maetze,
Simkins,
Sims,
Stephens,
Townsend,
Tyler,
Woodward.

NAYS—1.

Cranford.

ABSENT—3.

McDonald,
Pope,

Upshaw.

Senator Cranford sent up the following privileged report:

COMMITTEE ROOM,
AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 395, being "An act to amend chapter 61 of an act entitled an act to amend section 38 of an act entitled an act to redistrict the State into judicial districts, and fix the times for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved March 9, 1883; approved March 25, 1887."

And find the same correctly engrossed.

CRANFORD,
Chairman.

Senator Davis sent up the following privileged reports:

COMMITTEE ROOM,
AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 53, being "An act to amend an act entitled an act to provide for the venue of suits for damages growing out of attachments and sequestration suits, approved March 25, 1887,"

And find the same correctly enrolled, and have this day, at 11:30 o'clock a. m., presented the same to the Governor for his signature.

DAVIS,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate concurrent resolution No. 8, "Requesting Senators and Representatives from Texas in Congress, to secure a permanent appropriation of the amount that may be recommended by the board of engineers as necessary to construct and maintain a first class deep water harbor on the coast of Texas,"

And find the same correctly enrolled, and have this day, at 11:30 o'clock a. m., presented the same to the Governor for his signature.

DAVIS,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 244, being "An act to amend article 4466 of the Revised Civil Statutes of the State of Texas,"

And find the same correctly enrolled, and have this day, at 11:30 o'clock a. m., presented the same to the Governor for his signature.

DAVIS,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Enrolled Bills

have carefully examined and compared Senate bill No. 158, being "An act to amend article 2838 of the Revised Statutes,"

And find the same correctly enrolled, and have this day, at 11:30 o'clock a. m., presented the same to the Governor for his signature.

DAVIS,
Chairman.

Senator Davis called up, out of its regular order,

House bill No. 19, a bill to be entitled "An act to amend section 71 of the General Laws of Texas."

(Senator Allen in the chair.)

The bill was laid before the Senate and read the second time.

Senator Sims moved to

Amend by striking out the counties of Eastland, Palo Pinto and Stephens, and insert the county of Shackelford.

Adopted.

Senator Burney moved to

Amend section 1 by striking out the words "Tom Green, Medina, Gillespie and Mason."

Adopted.

Senator Frank offered the following amendment:

Amend by adding to the end of section 1, after the word "Houston," line 27 the following: "Provided the citizens in any community or section of territory embraced in any of said above named counties may adopt the district system by designating a portion of the territory of any of said counties, not exceeding six miles square and conforming to the provisions and requirements of sections 30, 31, 32, 33 and 34 of chapter 25 of an act entitled an act to establish and maintain a system of public free schools for the State of Texas, and to repeal so much of chapter 3, of title 78, of the Revised Civil Statutes of Texas, as refers to public free schools outside of incorporated cities and towns assuming or having assumed control of their public free schools, and all laws and parts of laws in conflict with this act of the special session of the Eighteenth Legislature, which passed the Senate January 30, 1884, and passed the House of Representatives February 4, 1884, and was presented to the Governor February 6, 1884, and became a law without his signature, and by conforming to the general provisions of said act, and to the acts amendatory thereof. It being intended by this act to permit subdivisions of counties not exceeding six miles square to avail themselves of and adopt the district

system when the whole county does not want to adopt it.

Senator Stephens moved to

Amend amendment after word "counties," in line 36 of the amendment and insert the words "mentioned in this act."

Accepted.

The amendment, as amended, was adopted.

Senator Burney offered the following substitute for caption of bill:

"An act entitled an act to amend an act to amend section 71, of chapter 132, of an act passed at the regular session of the Twentieth Legislature, approved April 2, 1887, passed at the special session of the Twentieth Legislature, approved May 14, 1888."

Adopted.

The bill, as amended, was passed to its third reading.

On motion of Senator Davis,

The constitutional rule was suspended to put the bill on its third reading and final passage by the following vote:

YEAS—25.

Allen,	Ingram,
Armistead,	Johnson,
Atlee,	Kimbrough,
Burges,	Lane,
Burney,	Maetze,
Claiborne,	McDonald,
Cranford,	Sims,
Davis,	Stephens,
Field,	Townsend,
Finley,	Tyler,
Frank,	Upshaw,
Glasscock,	Woodward.
Harrison,	

NAYS—None.

ABSENT—2.

Pope, Simkins.

The bill was read the third time and

Passed by the following vote:

YEAS—25.

Allen,	Ingram,
Armistead,	Johnson,
Atlee,	Kimbrough,
Burges,	Maetze,
Burney,	McDonald,
Claiborne,	Sims,
Cranford,	Stephens,
Davis,	Townsend,
Field,	Tyler,
Finley,	Upshaw,
Frank,	Woodward.
Glasscock,	Mr. President.
Harrison,	

NAYS—1.

Lane.

ABSENT—2.

Pope,

Simkins.

Senator Glasscock called up out of its regular order,

Senate bill No. 227,

A bill to be entitled "An act to amend chapter 10, title 84 of the Revised Civil Statutes, by adding thereto article 4227a."

The bill was laid before the Senate and read the second time.

Senator Glasscock moved to

Amend by adding section 2, as follows:

"Whereas, there exists an urgent necessity for the character of legislation contemplated in this act, and the further fact that the present session of the Legislature is rapidly drawing to a close creates an emergency and imperative public necessity requiring the constitutional rule to be suspended, and said rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted."

Adopted.

(The President in the chair.)

By leave

The following amendments were sent up:

By Senator Finley:

Amend by striking out all from the word "operate" in line 8 down to the word "on" in line 9, and inserting the words, "all their passenger trains on such connecting or branch lines so as to connect with some passenger train."

By Senator Harrison:

Amend article 4227a by striking out the words "each and every" in line 9 and insert therefor the words "at least one."

Amend article 4227a, line 10, by inserting after the word "connection" the words "every twenty-four hours."

By Senator Stephens:

Amend line 19 by adding after the word "connection" the words "provided further, that the provisions of this act shall not apply where trains are unavoidably detained by reason of accident or otherwise."

By Senator Sims:

Amend by striking out in line 22, page 2, the word "thousand," and insert the word "hundred."

Senator Armistead moved the previous question on the bill and amendments.

Seconded.

The main question was ordered.

Senator Harrison's first amendment was adopted.

On motion of Senator Tyler,

The bill and amendments were laid on the table subject to call.

Senator Harrison called up, out of its regular order,

Senate bill No. 358, a bill to be entitled "An act to amend article 2231 of the Revised Statutes."

The bill was laid before the Senate, read the second time and ordered engrossed.

Senator Ingram called up Senate bill No. 393, a bill to be entitled "An act to amend article 566, chapter 2, title 20, of the Revised Civil Statutes of the State of Texas, as amended by the act approved March 23, 1887, and by the act approved April 30, 1888."

Senator Lane moved to consider the bill by sections.

Adopted by the following vote:

YEAS—13.

Allen,	Ingram.
Atlee,	Kimbrough,
Burney,	Lane,
Cranford,	Maetze,
Field,	Tyler,
Finley,	Woodward.
Frank,	

NAYS—11.

Armistead,	McDonald,
Burges,	Sims,
Claiborne,	Stephens,
Davis,	Townsend,
Harrison,	Upshaw.
Johnson,	

ABSENT—3.

Glasscock,	Simkins.
Pope,	

Senator Lane moved to

Add the word "necessarily" after the word "merchandise" in line 41.

Adopted.

On motion of Senator Burges,

The Senate took a recess till 3 o'clock p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

Quorum present.

By leave,

Senator Stephens sent up the following privileged report:

COMMITTEE ROOM.

AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 279, being "An act to create the Hale, Potter, Carson, Lipscomb, Childress, Midland, Stonewall and Howard land districts and to amend sections 1 and 3 of an act entitled an act to create the "Martin, Scurry, Crosby and Knox land districts, approved April 1, 1887,"

And find the same correctly engrossed.

STEPHENS,

Acting Chairman.

On motion of Senator Stephens,

Senate bill No. 279, a bill to be entitled "An act to create the Hale, Potter, Carson, Lipscomb, Childress, Midland, Stonewall and Howard land districts, and to amend sections 1 and 3 of an act entitled an act to create the Martin, Scurry, Crosby and Knox land districts, approved April 1, 1887," was taken up out of its regular order and laid before the Senate.

The bill was read the third time and passed by the following vote:

YEAS—21.

Allen,	Johnson,
Armistead,	Kimbrough,
Atlee,	Lane,
Burney,	Maetze,
Cranford,	McDonald,
Davis,	Sims,
Field,	Stephens,
Finley,	Tyler,
Frank,	Upshaw,
Glasscock,	Woodward.
Ingram,	

NAYS—None.

ABSENT—6.

Burges,	Pope,
Claiborne,	Simkins,
Harrison,	Townsend.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—I am directed to inform the

Senate that the House has adopted the report of the free conference committee on

Senate bill No. 51, a bill to be entitled "An act to provide for the more efficient government and maintenance of the house of correction and reformatory at Gatesville."

W. M. IMBODEN,
Chief Clerk House of Representatives.

Senate bill No. 344, a bill to be entitled "An act to provide for the appointment of a railway commissioner and to provide his powers and duties."

The special order for this afternoon was laid before the Senate with Senator Pope's substitute for the bill pending.

On motion of Senator Lane the substitute was adopted.

Senator Stephens moved to

Amend by adding to section 6 the following section "That it shall be the duty of said commissioner to ascertain the value of the road-bed, rolling stock, right of way, equipments of every character, and property, both real and personal, of each railroad in this State, separately, and to make out a full and complete inventory of the same, and also the actual cost of constructing the same. Said commissioner shall also ascertain the annual expenditures of each road in this State, separately, and shall make out a statement showing the items of such expenditures as fully as the same can be conveniently done. He shall also ascertain the amount and character of tonnage over each road in this State separately, and the amount charged therefor in gross, and the schedule of prices or rates charged by such companies for each class of freight, together with a full statement of the articles in each class of freights. He shall also ascertain the gross amount of earnings of each railroad in this State separately, and also the net amount of such earnings. He shall also ascertain the amount and character of the indebtedness of each road in this State, how same is secured, and the amount of stock and bonds issued by such roads, and the value thereof, and the amount of interest paid by such roads on their indebtedness, and such other facts concerning said roads as such commissioner may be able to collect.

Lost.

Senator Davis offered the following amendment:

Strike out "one thousand five hun-

dred" in line 11, page 1, and insert "five hundred."

Lost.

Senator Field offered the following amendment:

Amend section 5 by striking out all of said section including the word "corporation" in line 16, and insert the following:

"If after the investigation the said commissioner finds that the law is being violated by any railroad company, officer, agent or employe, then the said railroad commissioner shall report such violation of the law to the Attorney-General with such evidence as he is possessed of; who shall at once institute such legal proceedings in any court of competent jurisdiction as may be necessary to prevent and punish such violation of the law."

"It is hereby also made the duty of district and county attorneys in any district and county through which any railroad may run, on the request of the commissioner, to assist said commissioner by giving him advice, or by prosecuting any and all suits on a proceeding which shall be instituted by said commissioner for violation of any laws of this State concerning railroad corporations or their officers, employes, operators, lessees or any agent of any such railroad corporation."

Senator Lane spoke in opposition to the amendment.

Senators Field and Allen spoke in favor of it.

The amendment was adopted by the following vote:

YEAS—14.

Allen,	Harrison,
Armistead,	Ingram,
Atlee,	Johnson,
Davis,	Maetze,
Field,	McDonald,
Finley,	Sims,
Glasscock,	Upshaw.

NAYS—11

Burges,	Lane,
Burrey,	Stephens,
Claiborne,	Townsend,
Cranford,	Tyler,
Frank,	Woodward.
Kimbrough,	

ABSENT—2.

Pope,	Simkins.
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Senator Allen offered the following amendment:

In section 1, line 3, strike out the

word "a" after the word "Senate," and substitute the word "three."

Lost.

Senator Glasscock moved to

Amend section 6, by adding thereto the following: "And said incorporation shall further report whether said corporation is controlling, owning or operating by purchase, lease or otherwise, any other railroad or line of railroad, stating the name of such other railroad or line of railroad, giving the name under which it was incorporated and the name under which such line of railroad is operated, and stating in addition thereto how, when and where and from whom it acquired said railroad, and the right to operate and control the same, and, if by purchase or lease, filing with said commissioner an abstract of title of such railroad or line of railroad, a copy of which abstract shall also be filed by said corporation in the office of the county clerk and be by said clerk recorded in the record of deeds and conveyances in each and every county in which said railroad so acquired is operated."

Adopted.

Senator Stephens moved to

Amend by adding to section 6 the following: "That said commissioner may hold his investigations in any city or town in this State when he may deem it necessary to facilitate the discharge of his duties."

Lost.

Senator Stephens moved to

Amend by adding to section 11 the following:

Section 8. That the said commissioner shall make a full and complete report of all his investigations, under oath, to the Governor at least ninety days before the meeting of the Twenty-second Legislature of this State, and it shall be the duty of the Governor to have such report printed immediately and place a copy thereof in the hands of each member of the said Twenty-second Legislature; provided, that such report shall suggest such legislation as to said commissioner may seem just to the railroads and the public.

Lost.

Senator Upshaw moved to

Amend section 12, page 6: Strike out the word "against" in line 3 and insert therefor the words "on the part of."

Adopted.

Senator Field moved to

Amend section 1, line 9, by striking out "three" and inserting "two" in lieu thereof.

Also amend same section, line 11, by striking out "one thousand five hundred" and inserting "one thousand."

Lost.

Sena or Kimbrough moved to amend by striking out the caption of the bill.

Lost.

Senator Burney moved the previous question on the bill and amendment. Seconded.

The main question was ordered.

Senator Kimbrough's amendment was lost by the following vote:

YEAS—7.

Claiborne,
Glasscock,
Harrison,
Johnson,

Kimbrough,
McDonald,
Sims.

NAYS—17.

Allen,
Atlee,
Burgess,
Burney,
Cranford,
Davis,
Field,
Finley,
Frank,

Ingram,
Lane,
Maetze,
Stephens,
Townsend,
Tyler,
Upshaw,
Wordward.

ABSENT—1.

Simkins.

Senator Armistead announced a pair with Senator Pope. The former would vote aye and the latter would vote nay if he were present.

The bill was ordered engrossed by the following vote:

YEAS—16.

Atlee,
Burgess,
Burney,
Cranford,
Davis,
Field,
Finley,
Frank,

Ingram,
Lane,
Maetze,
Stephens,
Townsend,
Tyler,
Upshaw,
Woodward.

NAYS—8.

Allen,
Claiborne,
Glasscock,
Harrison,

Johnson,
Kimbrough,
McDonald,
Sims.

ABSENT—1.

Simkins.

Senator Armistead announced a pair with Senator Pope, the former vote "nay" and latter "yea" if he were present.

Senator Lane moved to suspend the constitutional rule to put the bill on its third reading and final passage.

Lost by the following vote:

YEAS—19.

Armistead,	Lane,
Atlee,	Maetze,
Burges,	McDonald,
Burney,	Sims.
Cranford,	Stephens.
Davis,	Townsend,
Field,	Tyler,
Finley,	Upshaw,
Frank,	Woodward.
Ingram,	

NAYS—6.

Allen,	Harrison,
Claiborne,	Johnson,
Glasscock,	Kimbrough.

ABSENT—1.

Simkins.

By leave,
Senator Atlee sent up the following committee report:

COMMITTEE ROOM,
AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Public Health, to whom was referred

House bill No. 453, entitled "An act to create and establish boards of health in the incorporated towns and villages of Texas,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

ATLEE,
Chairman.

Bill read first time.

Senator Cranford sent up the following privileged report:

COMMITTEE ROOM,
AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 170, being "An act to amend articles 186 and 186a of the Penal Code of the State of Texas, as amended by an act, approved April 2,

1887, passed by the Twentieth Legislature, regulating sales on Sunday,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

House bill No. 560, a bill to be entitled "An act to diminish the civil jurisdiction of the county court of Travis county,"

Was submitted to the Senate again as unfinished business, with Senator Fields' pending motion to reconsider the vote by which the Senate adopted the minority (unfavorable) for the majority (favorable) report.

(Senator McDonald, President pro tem., in the chair.)

Senator Glasscock spoke in opposition to the motion to reconsider.

Senator Burges favored it.

(The President in the chair.)

The vote was reconsidered by the following vote:

YEAS—11.

Armistead,	Johnson,
Burges,	Lane,
Cranford,	Maetze,
Field,	Townsend,
Harrison,	Tyler.
Ingram,	

NAYS—8.

Allen,	Glasscock,
Claiborne,	Kimbrough,
Finley,	Sims,
Frank,	Woodward.

ABSENT—3.

Burney,	Stephens.
Simkins,	

Senator Davis announced a pair with Senator Abercrombie; the former would vote "nay" and the latter would vote "yea" if he were here.

Senator McDonald announced a pair with Senator Pope. The former would vote "nay," the latter would vote "yea" if he were here.

Senator Glasscock moved to

Amend House bill No. 560:

Amend section 1 by inserting after the word "State" the following in line 16, page 1:

"And to have and exercise general jurisdiction over questions of eminent domain as is now prescribed by law, and shall have appellate jurisdiction in cases, civil or criminal, of which justice courts have original jurisdiction and shall have power to hear and determine cases brought up from justice courts by certiorari under the provisions of the title of the Revised Civil

Statutes relating thereto, and shall have jurisdiction of all cases for trial of lunacy as is now provided by law."

Lost by the following vote:

YEAS—4.

Allen,	Glasscock,
Finley,	Kimbrough.

NAYS—17.

Armistead,	Lane,
Atlee,	Maetze,
Burges,	McDonald,
Claiborne,	Sims,
Cranford,	Stephens,
Field,	Townsend,
Frank,	Tyler,
Harrison,	Woodward.
Johnson,	

ABSENT—4.

Burney,	Pope,
Ingram,	Simkins.

Senator Davis announced a pair with Senator Abercrombie. The former would vote "yea," the latter "nay" if he were present.

Senator Lane moved the previous question.

Seconded.

The main question was ordered.

The bill passed to its third reading by the following vote:

YEAYS—14.

Armistead,	Ingram,
Atlee,	Johnson,
Burges,	Lane,
Cranford,	Maetze,
Field,	Stephens,
Finley,	Townsend,
Harrison,	Tyler.

NAYS—7.

Allen,	Kimbrough,
Claiborne,	Sims,
Frank,	Woodward.
Glasscock,	

Senator Davis announced a pair with Senator Abercormbie. The former would vote "nay," the latter would vote "yea" if he were present.

Senator McDonald announced a pair with Senator Pope. The former would vote "nay" and the latter vote "yea" if he were present.

Senator Lane moved to suspend the constitutional rule to put the bill on its third reading and final passage.

Lost by the following vote:

YEAS—16.

Armistead,	Johnson,
Atlee,	Lane,
Burges,	Maetze,
Cranford,	McDonald,
Field,	Sims,
Frank,	Stephens,
Harrison,	Townsend,
Ingram,	Tyler.

NAYS—6.

Allen,	Glasscock,
Claiborne,	Kimbrough,
Finley,	Woodward.

Senator Davis announced a pair with Senator Abercrombie, the former would vote "no," the latter "yea," if he were present.

Senator Armistead moved to reconsider the vote just taken and to lay that motion on the table.

Adopted.

The following reasons for voting were sent up:

I vote "no" because it is to my mind a political question, and will prove detrimental to the interests of the Democracy. Add this to the Washington county, Fort Bend and other questions now in Washington, and it will rebound upon the whole people of our State. I regard it as a private matter between the citizens of Travis county, and not proper matter for this body to take cognizance of. The proof of inefficiency has not been sufficient, and would still leave time to discharge the duties in guardianships' administration; in fact, widows, minors and persons of unsound mind are left in the hands of this man, who, it is claimed (but not proven), is incompetent. If as charged, he is guilty of charges made, the statute gives a remedy, and the records show that the law has been appealed to; and the question is now pending in the higher courts, and if guilty he should be removed from his office, and the court, and not this creating body, is charged with the enforcement of the law. The Legislature has no authority to interfere with the verdict of the people at the ballot box, and the proof is, after a trial of two years, this man was re-elected by four hundred and seventy-nine votes over one of the best men in Travis county or the State. This action is not approved by many of the best Democrats in the county, coinciding with me in my views.

CLAIBORNE.

We vote "no" on the engrossment of Substitute Senate bill No. 344 for the following reasons:

First. We believe the present bill amounts to no more than the old "engineer act" now on the statute books, which has proved to be a complete failure.

Second. The relief demanded by the people will not be obtained if this bill becomes a law, and no good can be accomplished by the passage of such a bill. The whale is too large for such a small tub.

KIMBROUGH,
GLASSCOCK.

Senate bill No. 40, a bill to be entitled "An act to amend section 1 of an act approved April 18, 1879, to amend section 1 of an act to amend sections 6 and 9 of an act to define a lawful fence, and to carry into effect sections 21, 22 and 23, article 16, of the Constitution of the State of Texas, authorizing the passage of stock and fence laws, approved August 15, 1876," passed at the present session of the Legislature, was laid before the Senate, read the third time and passed by the following vote:

YEAS—18.

Allen,	Ingram,
Atlee,	Kimbrough,
Burges,	Lane,
Davis,	Maetze,
Field,	McDonald,
Finley,	Stephens,
Frank,	Townsend,
Glasscock,	Tyler,
Harrison,	Woodward.

NAYS—4.

Armistead,	Cranford,
Claiborne,	Johnson.

ABSENT—5.

Burney,	Sims,
Pope,	Upshaw.
Simkins,	

Senate bill No. 170, a bill to be entitled "An act to amend articles 186 and 186a, of the Penal Code of the State of Texas, as amended by an act approved April 2, 1887, passed by the Twentieth Legislature, regulating sales on Sunday,"

Was laid before the Senate, read the third time and passed.

After having publicly read their captions, the President gave notice of signing and did sign, in open session of the Senate:

Senate bill No. 140, "An act to amend article 375, title 17 of the Revised Civil Statutes of the State of Texas, as amended by an act approved on the 27th day of March, 1885."

House bill No. 302, "An act to prevent the duplication of process for witnesses in felony cases,"

And

Substitute House bills Nos. 9, 117, 136, 192, 313, "An act to define trusts and provide penalties and punishments of corporations, persons, firms and associations of persons connected with them, and to promote free competition in the State of Texas."

By leave,

Senator Johnson sent up, by request

A bill to be entitled "An act to require suit to be brought to cancel bonds, stock and other obligations of corporations illegally issued or assumed, to prevent the payment thereof, and to provide for proceedings in such cases,"

Referred to Judiciary Committee No. 1.

Senate bill No. 285, a bill to be entitled "An act to amend title 84, chapter 10, of the Revised Civil Statutes of the State of Texas by adding thereto article 4223a,"

Was laid before the Senate, read the third time and passed.

By leave,

Senator Armistead sent up the following committee report:

COMMITTEE ROOM,
AUSTIN, March 29, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Finance, to whom was referred

Substitute House bill No. 360, entitled "An act making appropriations for the support of the State government for the years beginning March 1, 1889, and ending February 28, 1891, and for other purposes,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass, with the following amendments; viz: Page 1 of engrossed bills under head of

EXECUTIVE OFFICE.

1. Amend by striking out lines 17 and 18 (providing for a special clerk.)

2. Amend line 19, providing for additional clerical assistance, by striking out "\$200" and inserting "\$400" in both columns.

3. Amend line 21, "freight, postage

and telegraphing," by striking out "\$600" and inserting "\$800" in both columns.

3 1-2. Amend line 2, page 2, by adding after the word "mansion" the words "for improving grounds and paving sidewalk" and strike out "\$1,000" and insert "\$10,000" in first column.

STATE DEPARTMENT.

Page 2:

4. Amend by striking out line 14, which provides for furniture, files, etc.

TREASURY DEPARTMENT.

Page 3:

5. Amend by striking out line 4, which provides for additional clerk hire.

6. Amend by adding: "Salary of night watchman, \$900" in both columns.

COMPTROLLER'S OFFICE.

Page 3:

7. Amend line 8, salary chief book-keeper, by striking out "\$1600" and inserting "\$1700" in both columns.

8. Amend by striking out line 10, which provides for city and county bond register clerk.

9. Amend by striking out line 11, providing for a stenographic clerk.

10. Amend line 21, eight second assistant clerks, by adding after the word "clerks" the words "\$1000 each," and strike out "\$7200" and insert "\$8000" in both columns.

11. Amend line 22 by striking out "two porters" and insert "one porter;" also strike out "\$720" and insert "\$360" in both columns.

12. Amend by striking out line 23 (telegraphing, etc.) and insert in lieu thereof the following: "Telegraphing, and postage for correspondence and assessment rolls, \$3000," in both columns.

13. Amend by striking out line 24 (books, stationery, etc.) and insert in lieu thereof the following: "Books, stationery and binding rolls, \$1500," in both columns.

14. Amend by adding the following: "For contingent expenses, \$250," in both columns.

15. Amend by adding "salary of one night watchman \$900" in both columns.

GENERAL LAND OFFICE.

Page 4:

16. Amend line 8 by striking out

"two abstract clerks," and inserting "one abstract clerk;" also, strike out \$2400 and insert \$1200 in both columns.

17. Amend line 13 by striking out "four general clerks," and inserting "two general clerks;" also, strike out \$4320 and insert \$2160 in both columns.

18. Amend by adding after line 13 the following: "Salary of two transcript clerks at \$1200 each," \$2400 in both columns.

19. Amend line 20 by adding after the word "postage" the words "and telegraphing."

20. Amend by adding after line 24 the following: "For repairs on building, provided the Land Office is not moved to the Capitol building, for the two years ending February 27, 1891, \$3000," in first column.

21. Amend lines 25, 26 and 27 (for classification, sale, etc., of public lands), by adding: "For the two years ending February 28, 1891," and by striking out "\$25,000" in both columns and inserting "\$50,000" in first column.

ATTORNEY-GENERAL'S OFFICE.

Page 4:

22. Amend line 29 by striking out the word "felony" before the word "fees."

23. Amend line 4, page 5 (law books, etc.,) by striking out "\$500" and inserting "\$250" in both columns.

24. Amend line 5, page 5, (cost of depositions, etc.,) by striking out "\$500" and inserting "\$300" in both columns.

25. Amend line 6, page 5 (porter and messenger), by striking out "\$420" and inserting "\$360" in both columns.

ADJUTANT-GENERAL'S OFFICE.

Page 5:

26. Amend lines 22 and 23 (protection of frontier, etc.,) by striking out "\$30,000" from second column, and inserting "\$20,000."

27. Amend by striking out lines 26, 27 and 28 and insert in lieu thereof the following: "For services of militia companies when called into active service under the law and for other necessary military expenses, including the subsistence of the troops in encampment, by order of the Governor, payment to be approved by the Governor, \$15,000 in both columns."

DEPARTMENT OF AGRICULTURE, INSURANCE, STATISTICS.

Page 6:

28. Amend lines 11, 12 and 13, (for

geological survey) by striking out "\$25,000" and inserting "\$35,000" in both columns.

SUPREME COURT.

Page 6:

29. Amend by adding: "For salary of three librarians, one at Austin, \$500; one at Tyler, \$300; one at Galveston, \$300. \$1100 in both columns."

30. Amend by adding: "Bill of Calagan & Co., \$311.50."

COMMISSION OF APPEALS.

Page 7:

Amend by adding: "For sheriffs' attendance on court, \$150 in both columns."

31 1-2. Amend by adding: "For porter hire, \$270 in both columns."

COURT OF APPEALS

Page 7:

32. Amend line 12 (record books, etc.) by striking out "\$600" and inserting "\$750" in both columns.

33. Amend line 13 (furniture) by striking out "\$100" and inserting in first column "\$350" and in second column "\$100."

34. Amend by adding: "For deficiency for books and stationery, \$136.50."

JUDICIAL DEPARTMENT.

Page 7:

35. Amend by adding: "For publishing Twenty-seventh Court of Appeals, \$4700, and for publishing Seventy-first Supreme Court Report, \$1500—\$6200."

PUBLIC BUILDINGS AND GROUNDS.

Page 7:

36. Amend line 33 (salary of superintendent) by striking out "\$1200" and inserting "\$1500" in both columns.

36 1-2. Amend by striking out lines 19 to 32 inclusive, page 9 (electric light plant.)

PENSION DEPARTMENT.

Page 10:

37. Amend by adding: "Pay of S. L. Chambliss, \$100," in both columns.

STATE LUNATIC ASYLUM.

Page 10:

38. Amend line 29 (supervisor) by striking out "\$480" and inserting "\$600" in both columns.

39. Amend line 29, page 11, (groceries, etc.) by striking out "\$65,000" and inserting "\$60,000" in both columns.

40. Amend line 28, (dry goods, etc.) by striking out "\$15,000" and inserting "12,000" in both columns.

41. Amend line 30 (salary of scavenger) by striking out "\$200" and inserting "\$300" in both columns.

42. Amend line 32, page 11 (repairs, etc.), by striking out "\$8000, 5000" and inserting "\$5000, \$2500."

43. Amend by striking out line 34, page 11, "providing furniture for Superintendent's residence."

NORTH TEXAS INSANE ASYLUM.

Page 13:

44. Amend line 1 (salary of scavenger) by striking out "\$200" and inserting "\$300" in both columns.

45. Amend line 10, page 12 (salary of matron, by striking out "\$600" and inserting "\$720" in both columns.

46. Amend line 13, page 13 (groceries, etc.), by striking out of first column "\$30,000" and inserting "\$40,000."

47. Amend line 22 (general repairs) by striking out of first column "\$2000" and inserting "\$1000."

BLIND ASYLUM.

48. Amend line 18, page 15, by adding after the word "miscellaneous" the following: "which shall include pay of the members of the board of trustees, \$5 each per month, for services in attending business meetings of the board."

DEAF AND DUMB ASYLUM.

49. Amend line 39, page 15 (monitor), by striking out "\$360" and inserting "\$480" in both columns.

50. Amend line 40, page 15, (monitress) by striking out "\$360" and inserting "\$480" in both columns.

51. Amend line 45, page 15, by adding after the words, "provisions, etc.," the following: "Which shall include pay of the members of the board of trustees, \$5 each per month for services in attending business meetings of the board."

DEPARTMENT OF EDUCATION.

52. Amend by striking out all of lines 10, 11, 12 and 13, page 17, and insert in lieu thereof the following: "To enlarge building and supply equipments of Sam Houston Normal School, \$25,000 in first column and \$15,000 in second column."

53. Amend by adding: "For text books for Sam Houston Normal School, \$500 in both columns."

STATE UNIVERSITY.

54. Amend by adding, "for the purpose of completing and equipping the central building of the State University, to be loaned out of the general revenue, to be returned out of the available University fund, without interest, in the year 1900, \$35,000."

AGRICULTURAL AND MECHANICAL COLLEGE.

55. Amend by adding the following: "For completing the assembly hall, \$7500." "For erection and equipment of laboratories, \$8000." "For building and equipment of horticultural department, \$1000." "For foundry building and equipment, \$1500." "For furnishing the society halls, \$400," and the interest on \$209,000 State bonds held by the Agricultural and Mechanical College fund is hereby further appropriated for the support of the Agricultural and Mechanical College.

DEAF AND DUMB AND BLIND ASYLUM FOR COLORED YOUTHS.

Page 18:

56. Amend by adding after line 21 the following: "Salary of one cook, \$360," in both columns.

57. Amend by adding: "For water supply, \$1000."

58. Amend by adding: "For electric light plant, \$1000."

59. Amend by adding after the word "miscellaneous," in line 25, page 18, the following: "Which shall include pay of members of the board of trustees, \$5 per month for services in attending business meetings of the board."

STATE PENITENTIARIES.

60. Amend line 2, page 19, by adding after the word "labor" the following: "Out of which may be paid \$600 per annum for the services of a secretary of the Penitentiary Board."

61. Amend by striking out all after the word "industries" in line 5, page 19, down to and including the word "Comptroller" in line 10.

62. Amend line 14, page 19, by striking out "\$20,000" and inserting "\$25,000" each year.

63. Amend by adding the following: "For construction of sewer or other efficient sanitary means of getting rid of

the garbage of Huntsville and Rusk penitentiaries, \$5,000."

63 1-2. Amend by adding: "For purchase of convict farms, \$100,000."

REFORMATORY.

Page 20:

64. Amend line 14 (fuel) by striking out "\$1000" in second column and inserting "\$1200."

65. Amend line 15 (maintenance, etc.,) by striking out "\$5000" in second column and inserting "\$7500."

66. Amend by adding, "for salary of trustees from December 6, 1888, to March 1, 1889, now due, \$350."

"For salary of trustees after March 1, 1889, \$250," both columns.

"For paying rewards for escaped inmates, \$250," both columns.

MISCELLANEOUS.

Page 20:

67. Amend by striking out lines 20 to 24 inclusive, providing relief for B. M. Clayton.

68. Amend by striking out lines 25, 26 and 27, being for relief of Dr. Sloan.

69. Amend by striking out lines 28 and 29, for relief of A. B. Harwell.

70. Amend by striking out lines 30 and 31, for relief of C. R. Cox.

71. Amend by striking out lines 32 and 33, relief of James H. McKinney.

72. Amend by striking all of lines 2, 3, 4 and 5, page 21, for the relief of Joseph G. Cooke.

73. Strike out all of lines 5 to 10, inclusive, page 21, for relief of John B. Reagan.

74. Amend by striking out the engrossed rider, for the relief of James P. Hart, et al.

75. Amend by striking out all from lines 18 to 23, inclusive, relief of Frank Brown.

76. Amend by striking out from lines 28 to 33, inclusive, monument to the heroes of the Alamo; also all of lines from 1 to 6, inclusive, on page 22.

77. Amend by striking out all of line 7, page 22.

78. Amend by striking out all of lines 8 to 10, inclusive, for relief of A. W. Murray.

79. Amend line 16, page 22, by striking out "\$1,000" and inserting "\$5,000" (for collecting balance of frontier funds from United States Government.)

80. Amend by adding to the bill the following: "To refund to the contractors of the new State Capitol money heretofore paid to the Commissioner

of the General Land Office for patent fees for Capitol lands received by the contractor, under his contract with the State to build said Capitol, \$10,-320."

81. To pay H. B. Fontaine for work performed for the Capitol Commissioners, \$25.

82. For relief of Whitfield Chalk, a Mier prisoner who filed his application as such during the existence of the law, and for the payment of which no appropriation exists, and which is in lieu of bonds he would have received, \$970.

83. For having the glass roof of the Senate Chamber so improved as to exclude the glare of the sunlight, \$5.

84. For the relief of Oscar Martin for services rendered in the district court of Haskell county in representing the State and securing judgment for the State in an escheat case, \$500.

85. To pay T. M. Clarke for ice furnished the Capitol Commissioners in 1888, \$4.90.

85. For relief of A. Wychetzki for services rendered the State as special surveyor between the years 1877 and 1879, under appointment of J. J. Gross, Commissioner of the General Land Office, \$1114.20.

85. For pay of Presidential electors, \$1097.80.

86. For fees due sheriffs, clerks and attorneys for service prior to March 1, 1889, not included in the deficiency appropriation, \$40,000.

Witness fees in felony cases, \$10,000.

Justice of peace and sheriffs in examining courts, \$8000.

Special judges, \$1500.

Gas bill Supreme Court of Galveston, \$81.49.

Stationery bill of Clarke & Courts, \$116.62.

Deficiency at Terrell Asylum in groceries, fuel, gas, water, contingent and other repairs, \$12,600.

All of which is respectfully submitted.

ARMISTEAD,
Acting Chairman.

On motion of Senator Woodward,
Senate bill No. 256, a bill to be entitled "An act to provide for the admission from other States of companies or associations carrying on the business of life or casualty insurance on the assessment or natural premium plan,"
Was laid before the Senate.

Senator Armistead moved to postpone till to-morrow afternoon.

Adopted.

On motion of Senator Burges,
Senator Armistead was excused till to-morrow.

On motion of Senator Tyler,
House bill No. 42, a bill to be entitled "An act to amend an act to article 4360 of the Revised Statutes, etc."

Was laid before the Senate and read the second time.

The bill passed to its third reading.
(Senator Burges in the chair.)

On motion of Senator Stephens,
Senate bill No. 380, a bill to be entitled "An act to validate the incorporation of the city of Henrietta, Texas, under the provisions of title XVII of the Revised Statutes, chapter 1," was laid before the Senate, read the second time and ordered engrossed.

On motion of Senator Townsend,
Senate bill No. 31, a bill to be entitled "An act for the relief of sane persons confined in insane asylums in the State of Texas, and also quarantine stations, by placing the inmates of insane asylums and quarantine stations under the protection of the laws, by securing to them their postal rights,"

Was taken up, read the second time and ordered engrossed.

On motion of Senator Johnson,
House bill No. 377, a bill to be entitled "An act to amend article 421, of title 17, of chapter 4, of the Revised Civil Statutes of the State of Texas,"

Was laid before the Senate, read the second time and passed to its third reading.

On motion of Senator Maetzel,
House bill No. 512, a bill to be entitled "An act to repeal an act to amend section 8 of an act establishing and prescribing the manner of ascertaining the boundaries of counties, approved March 18, 1885, and to reenact section 8 of an act establishing and prescribing the manner of ascertaining the boundaries of counties, approved April 22, 1879,"

Was laid before the Senate, read the second time and passed to the third reading.

Senator Lane moved to take a recess till 5 o'clock p. m.

Senator Townsend moved to adjourn till 10 o'clock to-morrow morning.

The longer time being put first,
The Senate adjourned till 10 o'clock to-morrow morning.